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CONGRESSIONAL RECORD — SENATE

September 18

of each year as General von Steuben Memorial Day.

Gen. Friedrich Wilhelm von Steuben made a significant contribution to this country's first quest for freedom during the Revolutionary War days. His training of American soldiers was a significant factor in our victory over the British Army.

General von Steuben's contribution to the United States in our early days was to be followed by the efforts of many Americans with German backgrounds to improve the economic, political and social life in which we live.

The spirit of cooperation between the German people and the United States continues today. The strong ties between the American and German people, which originated in Revolutionary War times, are now being developed even further as the United States stands side by side with the German people to meet aggression by the Communists in Europe.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Whereas the successful conclusion of the struggle of American colonists for liberty was immeasurably aided by sacrifices and services of freedom-loving nationals of many countries; and

Whereas General Friedrich Wilhelm von Steuben, following a brilliant military career in his native Germany, responded to the appeal for assistance from the beleaguered Colonies; and

Whereas General von Steuben, drawing upon his experience and his vision, instructed forces mobilized by the Continental Congress, directed training at Valley Forge, and established discipline and morale which enabled disordered, retreating forces to rally and reorganize following the Battle of Monmouth; and

Whereas General von Steuben served with distinction as inspector general of the colonial forces, in command of the district of Virginia, and during the siege of Yorktown; and

Whereas the drill regulations and rules of order and discipline for troops of the Colonies conceived and promulgated by General von Steuben were formally adopted by the Continental Congress as the governing code for forces of the Revolution; and

Whereas the ideas and methods advocated and perfected by General von Steuben were reflected in the establishment of the United States Military Academy; and

Whereas the United States regularly shows appreciation to heroes of other nationalities who were conspicuous in the fight for independence; and

Whereas the anniversary of the birth of General von Steuben and the anniversary of the completion of labors of the Constitutional Convention coincidentally fall on September 17: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized annually to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings each September 17 and urging the people of the United States to observe the day with appropriate ceremonies commemorating the birth and the services of General Friedrich Wilhelm von Steuben.

JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 110) establishing a George Washington Carver Commemorative Commission was announced as next in order.

Mr. HART. Mr. President, over, by request.

The PRESIDING OFFICER. The joint resolution will be passed over.

Bill file
EXTENSION OF APPLICATION RELATING TO ESPIONAGE AND CENSORSHIP

The bill (S. 1895) to repeal section 791 of title 18, United States Code, so as to extend the application of chapter 37 of title 18, relating to espionage and censorship was announced as next in order.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

Mr. MORSE. Mr. President, I should like to have an explanation of Calendar No. 1027.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. HART. Mr. President, both the present Attorney General and administration and the prior Attorney General and administration have recommended this agency. Espionage is a cause of action if the activity occurs within the admiralty and maritime jurisdictions of the United States, but to the surprise of many there is no statute under which criminal proceedings can be brought in event the activity involving the espionage agent occurs other than in the admiralty, navigation and maritime jurisdiction. The bill would extend the scope and reach of the espionage laws and include actions of espionage committed either in the United States or beyond. The venue would be extended worldwide as to citizens of the United States committing such offenses.

Mr. KEATING. Mr. President will the Senator yield?

Mr. HART. I yield.

Mr. KEATING. I think it will interest the distinguished Senator from Oregon, who is an eminent lawyer, to realize that some years ago we extended, we thought, the scope of the law by inserting in the law the sentence:

This chapter shall apply within the admiralty jurisdiction of the United States and on the high seas as well as within the United States.

Before that, the law said nothing applicable. After that language was inserted, it was held by the court that the measure is a limitation and does not apply to espionage that is committed abroad.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 791 of title 18, United States Code, is repealed.

SEC. 2. The analysis of chapter 37 of such title is amended by deleting the following:

"791. Scope of chapter."

Mr. HRUSKA subsequently said: Mr. President, the House and Senate have now passed identical bills repealing section 791 of title 18 of the United States Code, which thereby removes any limitation on the jurisdiction of this country to prosecute espionage offenses committed by American citizens in foreign countries. These bills are H.R. 2730 and S. 1895, respectively.

The logic of such legislation in this day and age demands no elaborate proof. Having undertaken worldwide activities in the national defense, our Government must have protection against acts of espionage, whether committed at home or abroad. It is quite apparent that espionage today is no longer a matter solely of domestic concern.

The extraterritorial effect given this criminal statute establishes no new precedents. *U.S. v. Bowman* (260 U.S. 94) held that American citizens in a foreign country are subject to penal laws enacted to protect this country. Without saying more, Mr. President, there is a clear and present need for this legislation.

The continued support these measures have received from both the present and previous administrations in large part permitted prompt action to be taken, as well as the diligent efforts by our colleague in the House, Representative RICHARD H. POFF, who sponsored an identical bill and guided its passage through that body earlier this year.

I am gratified that this progress has been made in this very vital field.

NATIONAL POISON PREVENTION WEEK

The joint resolution (H.J. Res. 358) authorizing the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week, in order to aid in bringing to the American people the dangers of accidental poisoning was considered, ordered to a third reading, was read the third time, and passed.

ESCAPE OR ATTEMPTED ESCAPE OF JUVENILE DELINQUENTS

The bill (S. 1954) to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 751 of title 18, United States Code, is amended by inserting the subsection symbol "(a)" at the beginning thereof, and by adding, immediately following subsection (a) of such section as hereby so designated, a new subsection to read as follows:

"(b) Whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, shall, if the custody or confinement is by virtue of a lawful arrest for a violation of any law of the United States not punishable by death or life imprisonment and committed before such person's eighteenth birthday, and as to whom the Attorney General has not specifically directed the institution of criminal proceedings, or by virtue of a commitment